

ASSEMBLY BILL

No. 734

Introduced by Assembly Member Kim

February 25, 2015

An act to amend Section 53300 of the Education Code, relating to school intervention.

LEGISLATIVE COUNSEL'S DIGEST

AB 734, as introduced, Kim. School intervention: parent empowerment.

Existing law requires a local educational agency to implement one of several specified interventions for a school not identified as a persistently lowest-achieving school that, after one full school year, is subject to corrective action, as specified, and fails to meet specified criteria and has a specified percentage of parents and legal guardians of pupils sign a petition requesting the local educational agency to implement at least one of 5 specified interventions. Existing law requires a local educational agency to implement the intervention option requested by the petition unless the agency makes a specified finding in a regularly scheduled public hearing.

This bill would apply these petition provisions to schools identified as persistently lowest-achieving schools, and to schools ranked in deciles 1 to 3, inclusive, on the Academic Performance Index. The bill would make nonsubstantive changes by updating cross-references and reorganizing language. By imposing additional duties on school districts, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 53300 of the Education Code is amended
2 to read:

3 ~~53300. For any school not identified as a persistently~~
4 ~~lowest-achieving school under Section 53201 which, after one full~~
5 ~~school year, is subject to corrective action pursuant to paragraph~~
6 ~~(7) of Section 1116(b) of the federal Elementary and Secondary~~
7 ~~Education Act (20 U.S.C. Sec. 6301 et seq.) and continues to fail~~
8 ~~to make adequate yearly progress, and has an Academic~~
9 ~~Performance Index score of less than 800, and where at least~~
10 ~~one-half of the parents or legal guardians of pupils attending the~~
11 ~~school, or a combination of at least one-half of the parents or legal~~
12 ~~guardians of pupils attending the school and the elementary or~~
13 ~~middle schools that normally matriculate into a middle or high~~
14 ~~school, as applicable, sign a petition requesting the local~~

15 ~~53300. (a) A petition may be submitted to a local educational~~
16 ~~agency requesting the agency to implement one or more of the~~
17 ~~four interventions identified pursuant to paragraphs (1) to (4),~~
18 ~~inclusive inclusive, of subdivision (a) of Section 53202 or the~~
19 ~~federally mandated alternative governance arrangement pursuant~~
20 ~~to Section 1116(b)(8)(B)(v) 6316(b)(8)(B)(v) of the federal~~
21 ~~Elementary and Secondary Education Act (20 U.S.C. Sec. 6301~~
22 ~~et seq.), the seq.), if both of the following criteria are satisfied:~~

23 ~~(1) At least one-half of the parents or legal guardians of pupils~~
24 ~~attending the school, or a combination of at least one-half of the~~
25 ~~parents or legal guardians of pupils attending the school and the~~
26 ~~elementary or middle schools that normally matriculate into the~~
27 ~~middle or high school, as applicable, sign the petition.~~

28 ~~(2) The school meets one or both of the following requirements:~~

29 ~~(A) The school, after one full school year, is subject to corrective~~
30 ~~action pursuant to Section 6316(b)(7) of the federal Elementary~~
31 ~~and Secondary Education Act (20 U.S.C. Sec. 6301 et seq.),~~

1 *continues to fail to make adequate yearly progress, and has an*
2 *Academic Performance Index (API) score of less than 800.*

3 *(B) The school is ranked in any of deciles 1 to 3, inclusive, on*
4 *the API.*

5 *(b) A local educational agency that receives a petition pursuant*
6 *to subdivision (a) shall implement the option requested by the*
7 *parents in the petition unless, in a regularly scheduled public*
8 *hearing, the local educational agency makes a finding in writing*
9 *stating the reason it cannot implement the specific recommended*
10 *requested option and instead designates in writing which of the*
11 *other options described in this section it will implement in the*
12 *subsequent school year consistent with requirements specified in*
13 *federal regulations and guidelines for schools subject to*
14 *restructuring under Section 1116(b)(8) 6316(b)(8) of the federal*
15 *Elementary and Secondary Education Act (20 U.S.C. Sec. 6301*
16 *et seq.) and regulations and guidelines for the four interventions.*

17 SEC. 2. If the Commission on State Mandates determines that
18 this act contains costs mandated by the state, reimbursement to
19 local agencies and school districts for those costs shall be made
20 pursuant to Part 7 (commencing with Section 17500) of Division
21 4 of Title 2 of the Government Code.